

REMARKS

The present amendment is submitted in an earnest effort to bring the application to issue without delay.

1. The restriction requirement has been made final and claims 6 - 9 have been withdrawn from consideration as directed to a nonelected invention. The Examiner is authorized to cancel these claims subject to possible division, in the event the application is otherwise in condition for allowance.

2. Claim 1 has been amended to include subject matter from claim 3 and to emphasize that the founding of the body at its bottom end is effected outside any injection mold in which the tube may have been formed. Using a heated stamp to conform that rounded bottom end to the configuration of the stamp.

Claim 3 is cancelled and the dependency of claim 4 has been changed to reflect this amendment.

Amended claim 1, original claim 2, amended claim 4 and original claim 5 are in this application on the merits.

3. The acceptance of the drawing and the acknowledgment of the priority papers are appreciated.

4. The original claims 1 - 5 have been rejected under 35 USC 102(b) or 35 USC 103 on GUEST, GUEST in view of WANG or KLIMASZEWSKI, Jr.

The GUEST reference cannot stand under 35 USC 102 since it does not have the rounding of the bottom of the tube outside the injection mold as expressly recited in claim 1.

KLIMASZEWSKI, Jr. (B) Patent 3,929,943 uses a member 6 to seal a thermoplastic tube but, as stated at column 5, lines 24 and 25, "the mold [6] quenches the polymer in addition to closing the tube..." so that this "mold" must be chilled relative to the tube and is not a "heated stamp" as the claims require.

Neither reference continues to be applicable under 35 USC 102.

5. Applicant respectfully traverses the rejection of the amended claim 1 and claims 1, 2, 4 and 5 under 35 USC 103 on the applied art.

It appears that the main references are GUEST Patent 5,038,455 and KLIMASZEWSKI, Jr. Patent 3,929,943, referred to as references (A) and (B) by the Examiner.

GUEST (A) shows that it is known to make cylindrical pipe couplings exclusively by an injection molding process.

In this method, in a first stage, a cylindrical preform 10 can be made with a central section 11 of a reduced diameter, exclusively by injection molding.

The mold halves 15 are then opened and the core which was originally present and is shown at 17 in FIG. 1 is replaced by shaping dies 20 (FIG. 3) to shape the workpiece in the injection mold in which the coupling body was produced in the first place.

The GUEST (A) method is a teaching as to how an injection molded body may be reshaped in the injection mold and requires an expensive injection mold as well as a special injection mold machine to allow both injection molding and reforming in the same shaping structure.

By contrast, the invention requires (see claim 1) the reshaping of the bottom end of the tube outside the injection mold with a heated stamp and that is not taught in GUEST.

Nor can that step be found in KLIMASZEWSKI, Jr. (B) since, as previously noted the unit 6 in that reference in order to effect quenching, must be chilled relative to the tube.

Accordingly, a combination of KLIMASZEWSKI, Jr. and GUEST would not provide the method now recited either.

A careful review of the remaining references show that they do not disclose the combination of steps now set forth in claim 1 in any combination which may be made of these references with or without GUEST and KLIMASZEWSKI, Jr. and thus claims 1, 2, 4 and 5 should be considered to be allowable.

An early notice to that effect is earnestly solicited.

6. A petition for an automatic three-month extension of the term is enclosed together with a charge form applying the fee to a charge card of the undersigned.

Respectfully submitted,
The Firm of Karl F. Ross P.C.

By: *Herbert Dubno*, Reg. No. 19,752
Attorney for Applicant

Enc: Petition for Extension
PTO 2038 Charge Form

10 October 2003
5676 Riverdale Avenue Box 900
Bronx, NY 10471-0900
Cust. No.: 535
Tel: (718) 884-6600
Fax: (718) 601-1099

ge-